

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

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|-------------------------------------------|---|--------------------------|
| THOMAS H. GRACE, |) | Case No. 4:16-CV-00643 |
| Chapter 7 Trustee of AmeriSciences, L.P., |) | |
| |) | |
| Plaintiff, |) | Judge Vanessa D. Gilmore |
| |) | |
| v. |) | |
| |) | |
| ORGANO GOLD INT'L, INC., et al., |) | |
| |) | |
| Defendants. |) | |

**JOINT EMERGENCY MOTION OF THE CHAPTER 7 TRUSTEE AND
ORGANO DEFENDANTS TO MODIFY SCHEDULING ORDER**

Plaintiff (“Trustee”)¹, the Chapter 7 trustee of the estate of AmeriSciences, L.P. (the “Debtor”), and Defendants, Organo Gold Int’l, Inc., Organo Gold Enterprises, Inc., and Holton Buggs (collectively, the “Organo Defendants”), hereby respectfully move this Court on an expedited basis for an order modifying the Court’s scheduling order [Docket No. 29] entered on September 20, 2016, as modified on December 19, 2016 [Docket No. 35] (together, the “Scheduling Order”). Counsel for Barry and Kara Cocheu have been provided a copy of this Motion prior to its filing and have indicated their lack of any objection to the relief requested herein.

This motion is supported by the accompanying memorandum of law.

¹ Since the filing of the Complaint, Thomas Grace has retired from the practice of law and has withdrawn from his position as Trustee over the Debtor and its estate. The Bankruptcy Court has appointed Rodney Tow as successor trustee. Pursuant to Rule 25 of the Federal Rules of Civil Procedure, Mr. Tow has succeeded to the Trustee’s interests in this case. However, Mr. Tow will file a motion to amend the case caption if litigation continues in this case.

Dated: April 21, 2017

Respectfully submitted,

/s/ John J. Sparacino

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Attorneys for the Organo Defendants

CERTIFICATE OF SERVICE

I hereby certify that on April 21, 2017, a copy of the foregoing *Joint Emergency Motion of Chapter 7 Trustee and Organo Defendants to Modify Scheduling Order* was electronically filed and served via the Court's CM/ECF System upon all parties registered to receive notice as indicated below:

- **Omar Jesus Alaniz** omar.alaniz@bakerbotts.com
- **David W Anderson** dwanderson@ralaw.net
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- **Clerk Of Court Darlene_Hansen** @txs.uscourts.gov

And was also served via regular U.S. Mail, postage prepaid, upon the following:

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/s/ Kathryn Brooker
Kathryn Brooker